

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSHUA KOSTKA and
DARCY HERNANDEZ,

Defendant.

ORDER

11-cv-783-bbc

A telephonic hearing on default was scheduled to be held in this case on June 6, 2012, before United States District Judge Barbara B. Crabb. Counsel for plaintiff appeared by telephone, but never filed the necessary motion for default judgment. Therefore, it is necessary to continue this matter until Friday, June 22, 2012, at 8:30 a.m. CDST. Plaintiff is to file the motion for default judgment no later than June 18, 2012.

Following the hearing, defendant Hernandez contacted the court and requested that defendants be allowed to appear by telephone at the June 22, 2012 hearing. That request is denied at this time. If defendants (or either one of them) wish to be heard in this case, they must file a motion with the court to set aside the entry of default entered on May 7,

2012 and show good cause why the entry of default should be set aside. Default was entered because defendants were served copies of the complaint in this case, but never responded to the complaint or made any appearance in court.

If defendants file a motion to set aside the default no later than June 15, 2012, and if they show good cause for their previous failure to take any action in this case, I will cancel the June 22, 2012 hearing on the government's motion for entry of judgment.

If defendants do not file a motion to set aside the default or if they file a such a motion but do not show good cause for setting it aside, the hearing will go forward as scheduled, without defendants.

Entered this 6th day of June, 2012.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge